



Nirav S. Shah
Manatt, Phelps & Phillips, LLP
Direct Dial: (212) 790-4511
E-mail: NShah@manatt.com

December 15, 2015

BY ECF

The Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Carter v. City of New York, et al., No. 14-cv-4236

Dear Judge Caproni:

We write as counsel for Plaintiff Elimeen Carter to request that the Court adjourn the conference currently scheduled for December 18, 2015 in the above matter. As described more fully in previous correspondence with the Court, the parties have agreed in principle to a settlement of this matter, including a payment of an agreed sum into a special needs trust for Plaintiff, but have been unable to finalize that settlement until the conclusion of an Essex County, New Jersey proceeding filed by Sharon Carter in August seeking plenary guardianship over our client (the "New Jersey Proceeding"). The Essex County court has scheduled an initial hearing on Sharon Carter's guardianship petition for December 18, 2015, and we anticipate having more information regarding the New Jersey Proceeding at that time.

Since our November 13, 2015 letter to the Court, we have discussed with counsel for the City of New York potential methods of settling this civil rights case prior to the resolution of the New Jersey Proceeding, but it does not appear such a settlement is possible.

Counsel for defendants consent to our request for an adjournment.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "NShah".

Nirav S. Shah